BOARD OF SELECTMEN MEETING MINUTES 2/8/11 er y SM - Ja

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Paula Bertram, Steven M. deBettencourt, Ernie Sund, Tom Alonzo, Dave Matthews and Town Manager Kerry Speidel present. Meeting opened at 6:05 and recessed for Executive Session at this time. Reconvened at 7:16 P.M. with the Pledge of Allegiance

## **PUBLIC COMMENT**

## **ANNOUNCEMENTS**

1. None

# **APPOINTMENTS**

1. 7:15 PM – Jon Juhl, JNJUHL & Associates, request to extend Option to Purchase – Paul Teixeira and Stephanie Booker from RCAP Solutions were present with Jon Juhl and reviewed the attached request for time extension to the Land Disposition Agreement to secure funding, as the original date was July of this year and are requesting an extension to July 2012. Jon noted that under HUD 202 program, there have been significant changes in the new production program and Title Two of the bill for refinancing of existing HUD 202 and assisted living provisions down the road and should help us in applying for funding in the future. There may be the possibility of more funds becoming available in the short term.

Dave believes that the granting of time is well worth the benefit to the town, Tom motion to approve, voted unanimously.

## 2. 7:30 PM – Green Communities Task Force – RFP Solar Farm at Landfill -

John Londa came before the board with Green Communities Task Force members Patrick Slattery and David Blatt. John informed the board that he has been working with the Task Force on drafting the Request for Qualifications (RFQ), which is the coordination draft for a power purchasing agreement for a bidder to design, finance, construct, operate and own a 1.5 MW Solar Farm to be located on an estimated 22 acres at the Youngs Road Landfill in Lunenburg. The Task Force has been meeting with Town representatives, John Londa, Marion Benson and Jack Rodriquenz and as the proposed release date for this RFQ is Feb 17, 2011, the Task Force is asking the board to provide any comments and corrections to this document before Feb 15, 2011. This is basically a design build project and bidders are being asked to provide a price per KWH for electricity for a 20 year term. 1.5 MW Solar Farm would likely provide a supply of 95% of municipal building electricity needs. At the end of 20 years the town will have the option to buy the system, have the system removed or negotiate a contract to continue operation of the solar array. The bidder may also provide an option to share some of the risk/reward with the Sustainable Renewable Energy Credits (SRECs) with the town. The area proposed for this project encompasses all of the capped area of the land fill and additional areas on the parcel. Bids will be due by March 31, 2011. They would be asking that the Green Communities Task Force review the proposals and make their recommendation to the Town Manager. The timeline for the project as written in the RFQ would look to establish a contract with the successful bidder on or about May 12, 2011.

Paula's concerned about information that John DiNapoli provided in that the utility company is able to re-coop the lost costs by raising homeowner's costs. She is still waiting for clarification as the bottom result is to save energy, but adding these costs to the consumer is a factor.

John believes that what drives this project are the tax credits for the brown fields, the SREC's benefits that the town would receive and is a large part of driving this.

Dave questioned how this is different from aggregation.

Paula the energy costs associated with your bill versus the transmission costs and Mr. DiNapoli specifically spoke about this project and that the costs that they would lose would be assessed to the customers.

Tom commented that the balance is how much does the town save and how much does the residential rate increase. Municipal aggregation is different as that is a direct pass through.

Ernie questioned how this would impact the homeowner who decides to utilize their own energy generation, either by wind or solar and whether this would not impact them other than on their own electric bill.

Tom questioned if there is anyone other than the Green Communities Task Force that will be reviewing or that they have been working with and per John, not on this project but they did utilize a firm on the Middle School Solar project which was a much smaller project. We do have an evaluation sheet prepared to go through on the proposals, don't anticipate a lot of proposals.

Kerry would like to put some resources to having a technical review of the responses that we do receive and that this would be money well spent.

Paula questioned what the costs would be with regards to that and reiterated her concern on the costs to consumers should the town decide to pursue and would like to understand that potential impact.

Tom would like to be sure that Unitil would be required to purchase, and question that they are at the 2% threshold, before we commit. John noted that the amount of energy that this farm could generate could be utilized by all the town buildings. Kerry will try to find out more information of what the costs to consumers may be.

Dave would like to see us pursue the RFQ while we investigate the costs and then we could make a determination. Steve motion to

move forward with the RFQ, Tom seconded.

Jack Rodriquenz noted that this involves 22 acres, have to look at 8 acres are the landfill and then the balance. Noted that there are sensitive issues at the Landfill and has been meeting with DEP regularly in order to decrease the monitoring events and think that our consultants should have a hand in this as we move forward with the DEP. Noted the permit for storing street sweepings and catch basin cleaning has been granted in perpetuity and if we were to be inspected, we are long past the time of removing the material from the catch basin cleanings. Also, noted the yard waste area which takes up a considerable amount of space which is growing and doesn't see where the additional 14 acres is actually located. Noted that some of the material; stone, gravel and that we expect to utilize the materials available at the landfill, specifically the fill, in the septic system for the DPW addition project.

Dave concerned that we are hearing of these issues now.

Paula given the question on where is the solar farm in relation to the area that we are using, and the points are very valid and would like to have answers to this rather quickly.

Ernie commented that as we have known about this project for some time would like to see an answer within a week time frame. Per Kerry, given the circumstances she would ask for longer, by the end of this month and come back to the board by March 1st. Tom noted that its critical information as there seems to be a discrepancy on where we are planning on putting this. Steve rescinded motion, Tom rescinded second.

3. 8:00 PM – DPW Building Committee – Project Update – DPW Building Committee Chairman Dave MacDonald provided an update as to where we are and how we got here. Also present were committee members, Jay Simeone and Joanna Bilotta, Jack Rodriquenz, DPW Director and Gregg Yanchenko from Helene Karl Architects. Dave went through the process that the Feasibility Study Committee and the Building Committee have gone through to get to this point. Provided the attached Floor Plan and described the area of the new addition. One of the critical issues they've addressed is that the some of the building codes have changed. New addition is approximately 6500 square feet which includes a wash bay with holding tanks. Existing building will remain pretty much intact; all existing doors will be replaced and upgraded. HKA has worked closely with the building committee to make sure that they stay within budget. The current plan is that this will be advertised in the Central Register on March 2<sup>nd</sup>, and anticipate an award on April 25<sup>th</sup>.

Paula questioned the space that exists that is currently used for sign storage and what happens with that. Per Gregg that area is known as the mezzanine and will remain a storage area. Paula's concerns are the stairway to this area is substandard and has concerns on air quality and height restrictions and questioned whether the air quality going to be addressed in this proposal. Per Gregg the stairway (to mezzanine) will be reconstructed and will be code compliant and the air quality issues are also being addressed, as well as life safety issues and all will be brought up to code. She also questioned whether they are able to quantify the proposal that was presented to town meeting versus this plan and per Gregg, it's about within 500 square feet less than that of the original proposal presented in the feasibility study.

Dave MacDonald noted that some of the stuff in the mezzanine will be coming down and one of the reasons they hired this firm was because of their experience with these types of buildings. Also noted that there is a new fire alarm going to be installed and working on

information with regards to a sprinkler system.

Paula questioned how they are moving forward with the site work in the RFP and per Dave MacDonald there will be a design for a new septic system and holding tanks (wash bay) that will have to be pumped once or twice a year so that debris will not be going down. Mulpus Brook. Gregg informed the board that the new septic system will go in the area of the salt pile; there will be improvements to the paving, the electrical will be upgraded and the DPW will handle some of the site improvements. The septic system is also part of this bid, the test pits have been done and Nashoba Board of Health was out with them and technically they cannot perk at this time, as far as engineering based upon the soils. Everything is set to go with the exception of the leaching area which may have to be adjusted and this will be determined based upon the perk tests in the spring.

Paula's concern is that sometimes on sites you run into issues that you don't anticipate and what contingency will there be on the

project should there be issues?

Gregg has put in a contingency amount for this and at this point in time has no concerns about this impacting the project. If we put this out to bid in June, then the DPW will not be in the new building before the fall. In consultation with the Building Inspector and the Board of Health the concerns have been addressed at this point in time and everyone seems comfortable including the local Board of Health. Dave MacDonald informed the board that the local Board of Health has not officially been notified as of yet but expect this to be before them within the next couple of weeks.

According to Gregg replacing the existing roof will be addressed as an alternate, we are also discussing repairs and costs associated

with this

Dave Matthews commented that he has gone to a couple of these meetings and impressed at how they worked together and stressed the fact that the safety issues have been addressed. It's extremely gratifying to see the quality of people who have come forward to work with the town.

## **CURRENT BUSINESS**

1. Open Warrant for Annual Town Meeting, May 7, 2011 – Kerry reviewed the following schedule for the Annual Town Meeting Warrant: Board voted unanimously to open the warrant today and close on Monday, March 14 @ 4:00 PM, which will be the deadline for anyone to provide articles to the board.

Day	Date	Proposed Activity
Tuesday	8-Feb	Open Annual Town Meeting Warrant
Thursday	10-Feb	No FinCom Meeting
Tuesday	15-Feb	Town Manager's Budget Recommendation Distributed
Thursday	17-Feb	Town Manager's Budget Presentation
Thursday	24-Feb	Review: LPS; Monty Tech; Library; Council on Aging
Thursday	3-Mar	Review: Police; Fire; DPW; Building; Board of Health; Sewer Commission
Friday	4-Mar	Notice of FinCom Budget Public Hearing in Lunenburg Ledger
Thursday	10-Mar	Review: General Government; Unclassified; Debt Service; Revenue; all other
Monday	14-Mar	Close Annual Town Meeting Warrant @ 4:00 p.m.
Thursday	17-Mar	FinCom Budget Public Hearing Review: Other Monied Articles Budget Deliberations
Monday	21-Mar	Town Caucus (tentative)
Thursday	24-Mar	FinCom Meeting: tentative
Thursday	31-Mar	FinCom Final Votes on all Warrant Articles
Tuesday	5-Apr	BOS Final Votes on all Warrant Articles
Thursday	7-Apr	Final Warrant to Printer
Friday	22-Арг	Warrant Mailed to Residents

2. Minutes - Board of Selectmen regular and executive session for 10/21/10 & 1/11/11 reviewed and signed. Warrants - #43 11, 2/3/11 - \$309,743.75 and #44 11, 2/8/11 - \$103,053.40 reviewed and signed. Action File Issues - None

# 3. Committee Updates -

- > Ernie Capital Planning Committee has reduced their request down to about \$500,000 and are still working on the Capital Plan.
- Paula attended Planning Board on Master Planning and the issue was brought up, that there is a need for better communication. Specifically the Summer Street project and the impacts to the Master Plan. Definate correlation between increasing business activity, walker friendly environments, recreational activites etc., and as such they feel the need to involve them in discussions on the pavement management plan. Dave thinks that this has nothing to do with Master Plan, it has to do about maintenance of town roadways. Paula contended that we should discuss these issues with the Planning Board as the improvements to our roadways will impact business and future plans. The Summer Street project is a primary area for understanding the goals of the Board of Selectmen and the Planning Board needs to be involved. Mark Mitchell from the State has identified the road improvements that are made, need to be tied into the Master Plan as a whole. Kerry confirmed that there is a meeting scheduled for Thursday with the Planning Board @ 7:00 PM to discuss the Summer Street project and as we've investigated funding that would be available, if we are able to pull one aspect of the Master Plan into the project, then this pot of money may be available. There may be additional funding that may be available should the three communities go in together. The strong suggestions that have been made by the State in particular have made us realize this need. Expect to have Trish Domigan from VHB present as she has been working with the town and the other communities on this project.

# 4. Department Updates

a. Council on Aging – Doreen Noble, Council on Aging Director informed the board that the Mission of the Lunenburg Council on Aging is to advocate for improved quality of life for all seniors through supportive services, programs and education. The Council on Aging in the town is the only social agency that serves the over 60 generation. Noted that there are over 8,000 people a day in this country turning 60. Most of the programs they offer have to do with adcovacy with the elders and ensure that they are able to maintain themselves within their homes. This alone takes numerous amounts of hours on her part and outreach services for residents. Town Manager's recommendation sees an increase in the area of outreach. Currently there is one outreach worker who is compensated for 18 hours a week. This person acts as an advocate to the elders in need. Noted that there has been an increase in fraud cases and self neglect and people are being taken advantage of. They also try to assist elders in maintaining staying in the home and they also go out to site visits to various facilities in the area.

Food Service programs serve approximately 50 people a day in the Meals on Wheels Program and the congregate. Also wants to bring attention to the fact that they continue to have a need for a custodian at the Eagle House and noted that there are different needs that may occur because of the clientelle and have to have someone available on a daily basis as all the rooms are utilized. Service levels are way up as is the population and they continue to see growth at the Council on Aging.

Paula would like Doreen to expand on what she sees as a need for the building and per Doreen would like to see in addition to the cleaning service already in place and that because of the constant monitoring that is necessary, foresees the need for an additional 15 hours of custodial. During the spring and summer this position could also assist with the landscaping needs, also can use their services when they need assistance in getting supplies such as wheelchairs, etc down from the second floor. She sees this increase request as a necessity in maintaining the safety for our elders.

- b. Library Library Director Amy Sadkin presented the attached Power Point presentation to the board. Paula questioned the reasoning for the request for carpeting and according to Amy because of the usage and amount of traffic they are seeing a lot of wear and seams are letting go in high traffic areas. Noted that they did remove the parking lot request from the Capital Plan. Paula questioned how the CWMARS is currently being funded and why has this cost now been included in the operating budget. According to Amy it had been funded from the State grants previously but with the number of budgets being cut statewide the Trustees feel that this cost should be part of the municipal budget. Also, once the town exceeds the 10,000 population threshold we will not be eligible for the state grants. Tom expressed appreciation to the Library and the library system and noted that in times like these people use their local library more than ever. Dave noted that it's become a community center much like the Eagle House, a service in town that you want. Paula concurred and applauded the efforts of the library.
- c. Town Clerk Paula noted that she had a number of questions with regards to the requirements of the Conflict of Interest and the needs of employees and committee members to comply with the Conflict of Interest Law. Kathy informed the board that she is preparing a data base on the requirements of the open meeting law and the conflict of interest and posting meetings and agendas. According to what Kathy has been provided with, 75% of her assistant's time is spent on these issues and the remaining 25% of her time is with the public. One place that she's having a hard time is determining who specifically should be on the list for compliance, the question is on the need for vedors to be compliant. The compliance requirement was to be completed by November 1st and was not funded by the state. The office is opened Monday, Tuesday Wednesday and Thursday and is usually closed to the public on Fridays, but she is usually there working, Friday for her is usually a catch up day. Noted that she has Lynne (assistant) working 24 hours and she is there the rest of the time.

Tom questioned if any of the new legislation caused her problems, per Kathy the outdoor bulletin board has been an issue however, it has been working.

5. Town Manager Updates

Kerry provided the attached spreadsheet on snow and ice expenditures to date, which does not take into account the activities that occurred today. We have expended all but \$32,000 of the \$250,000 appropriation, all of our sand and salt that we expect having to use this season has been purchased and paid for. Noted that the costs of materials has significantly increased over the last five years. Update on the town building roofs; believe there were only two private properties that experienced roof collapses; one a barn and a partial collapse of a trailer. She had a couple of extensive meetings last week with the facilities personnel and Building Inspector as we have a few buildings that have flat roofs and those roofs were shoveled off. The big issue is and was with the school buildings as their size is astronomical. John Londa went back and reveiwed the plans for the buildings and it wasn't clear what the snow load was for the buildings, estimated that it was 35 lbs/sq ft. Brought in a structural engineer to view the buildings and provide a report. John Londa goes up on the roofs at least once a day and takes measurements to determine snow loads. Expect to have the report available tomorrow and can assure the board that the School Superintendent and Facilities Director are on top of the situation and have sent out a system wide email on roof conditions and that we are monitoring very tightly with what's' going on with the snow and make decisions based upon what's in the best interest of the town.

Tom questioned the leaking issues and are they going to be experiencing this issue while the snpw melts. Kerry will get an update on this to provide to the board. She will also provide the reports to the board once she recieves from the engineer and information that she has received from John Londa.

Also informed the board of MIIA credit opportunities as they have recently added snow removal credits to this year's Rewards Program. This enhancement will provide your municipality or district up to 2% premium credit to be applied toward your FY12 property premium. This information has been forwarded to the DPW Director in order to accomplish the steps to receive the credits.

MIIA is also providing additional funding under the Loss Control Grant Program. This additional funding is designed to further assist municipal departments that incorporate safety into their daily operations. This additional funding is for a risk management service/conultancy, training or development/implementaion of a rish management program, in addition to the fact that we're saving over 10% of what we were previously spending.

# **OLD BUSINESS**

1. Continuation of Public Hearing on Municipal Electric Aggregation – Paula wanted to give the public an opportunity to comment and as none have been received, she would entertain a motion to move forward on the Aggregation Plan, Steve so moved, voted unanimously.

2. Devens Household Hazardous Waste Facility – sign Agreement – This agreement has been reviewed by our Town Counsel and will be a great benefit to the residents. Tom move to sign the Devens Household Hazardous Waste Agreement, Steve seconded voted unanimously to approve.

# COMMITTEE APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

1. **Neal Sullivan to Green Communities Task Force** – of 39 Cliffview Terrace came before the board as he is interested in serving on the Task Force. He stated that he now has time that he would like to give back to the town. He has been in the technology business for some time: and conservation and energy is something that he's been interested in.

Paula commented that she has worked with Neal on other committees and very pleased to see that he's interested in serving on this committee. Patrick Slattery informed the board that the Committee would like to have him as a member.

Dave move to appoint, Ernie seconded voted unanimously.

## **EXECUTIVE SESSION**

1. M.G.L. Chapter 39, §23B to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigation position.

## UPCOMING MEETING SCHEDULE

February 15, 2011

February 17, 2011 - Presentation of FY2012 Budget Recommendations

March 1, 2011

March 8, 2011

March 15, 2011

March 22, 2011

Being no further business board voted unanimously to adjourn Regular Session at 9:54 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant Board of Selectmen

# FIRST AMENDMENT TO LAND DISPOSITION AND DEVELOPMENT AGREEMENT

Reference is made to a Land Disposition and Development Agreement dated November 10, 2009 by and between RCAP Solutions, Inc., a Massachusetts nonprofit Corporation and the Town of Lunenburg, a Massachusetts Municipal Corporation with regard to that certain 2.4 acre parcel of land in Lunenburg, Massachusetts located at 30 School Street and known as the "Old Primary School Site."

Whereas, the parties to the foregoing Agreement wish to amend the Agreement in certain respects; and

Now therefore, for good and valuable consideration, each to the other paid, the adequacy and receipt of which is acknowledged, the parties agree as follows:

- 1. Paragraph D at Page 3 is amended by deleting the date of September 30, 2012 and substituting in its place the date of December 31, 2012;
- 2. Paragraph B at Page 4 is amended by deleting the date of December 31, 2010 and substituting in its place the date of December 31, 2011;
- 3. Paragraph 13 (a) at Page 7 is amended by deleting the date of July 1, 2011 and substituting in its place the date of July 1, 2012.

Town of Lunenburg

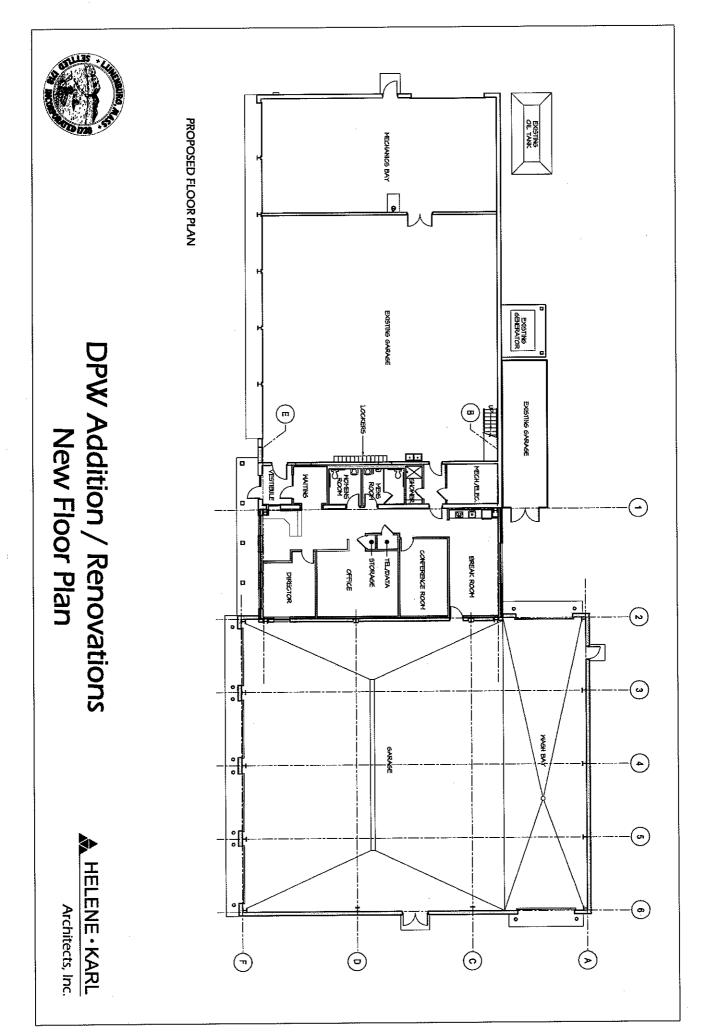
By Its Board of Selectmen

And by:

Kerry Speidel, Town Manager

RCAP Solutions, Inc.

0050/0009/8033



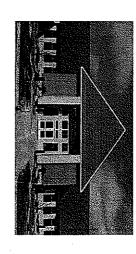




# DPW Addition / Renovations Proposed Rendering

★ HELENE · KARL Architects, Inc.

# What's new at the Lunenburg Public Library?



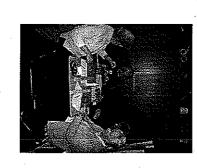
# In FY10 the Lunenburg Public Library...

- Utilized over 80 volunteers who provided 2,600+ hours of service.
- Was the only location in town to provide free Wifi.
- Had over 6500 Lunenburg residents with library cards.
- Logged a total of over 9,400 log-ins to the internet.
- Offered a public fax and public copier.



# In FY10 the Lunenburg Public Library....

- Offered over 254 children's, young adult and adult programs with a total attendance of over 3000 people.
- Provided meeting room space for over 950
   Lunenburg non-profit groups – that averages out to 18 meetings per week year round.

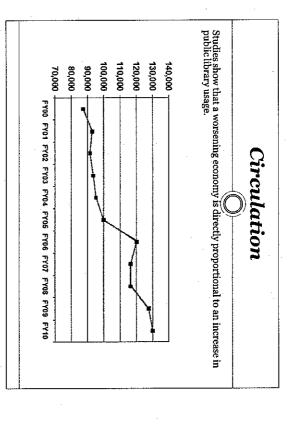


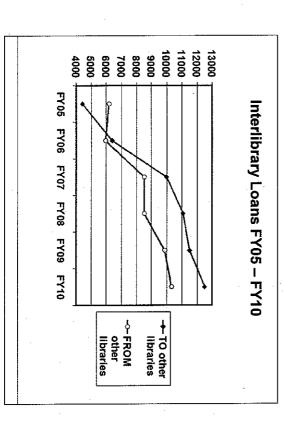
# In FY10 the Lunenburg Public Library...



- Was the 1st public library in Central MA to offer Kindles to the public for check out.
- Provided the latest movies and TV series on DVD, music on CD's, magazines, books on CD, MP3's, and Play-a-ways for loan.
- Circulated over 130,000 items

   that's 63 items per hour
   or more than 1 item every
   minute we are open.
- Processed more than 12,000 inter-library loans.





# What is C/W MARS?

- Central/Western Mass.
   Automated Resource
   Sharing provides anyone
   with a library card from a
   certified library access to
   materials from all
   member libraries in the
   region.
- C/WMARS provides the hardware and software needed to operate the



How do we compare to our neighbors?

370 public libraries in the state

Lunenburg Public Library has the following ranking for FY09:

56<sup>th</sup> for attendance
72<sup>nd</sup> for weekly internet access
122<sup>nd</sup> for total circulation
186<sup>th</sup> for total expenditures
189<sup>th</sup> for hours open per week
194<sup>th</sup> for FTE

# Low Cost, High Return



- Lunenburg's population is growing.
- The need for high quality library service will only increase.
- The past 2 surveys have shown that people would like us to be open more hours and they are willing to pay more for this service.
- We receive 1 penny out of every tax dollar.

# Why is a public library so important?

- Your ability to get information shouldn't depend on your ability to pay for it.
- People who cut back in a recession to save money use libraries for their only source of internet access, job searches and applications, movie rentals, books, and free programs.
- Libraries are centers for lifelong learning.
- Libraries are community centers.
- People move to a community that provides good quality library service.

# SNOW EXPENDITURES TO DATE (2/8/11)

		SUPPLIES		CONTRACTED SERVICE		HIRED EQUIPMENT		OVERTIME		TOTALS
APPROPRIATION:	↔	170,000.00 \$	. <del>60</del>	55,000.00	↔	7,500.00	↔	17,500.00	↔	17,500.00 \$ 250,000.00
EXPENDED:	↔	107,144.62 \$	↔	56,448.35 \$	↔	3,250.50 \$	↔	33,285.09	↔	33,285.09 \$ 200,128.56
INVOICES IN PIPELINE:	<del>\</del>	12,446.22 \$	₩	3,961.25 \$	₩	1,104.00 \$	₩		₩	- \$ 17,511.47
BALANCE:	₩	50,409.16 \$	€9	(5,409.60) \$	↔	3,145.50 \$	€9	(15,785.09) \$ 32,359.97	မ	32,359.97